

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

IN RE PEABODY ENERGY CORP.  
SECURITIES LITIGATION

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: Case No. 1:20-cv-08024-PKC  
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*In view of the Court's  
preliminary approval of a  
settlement class, the  
motion to certify is  
DENIED without  
prejudice.*

**NOTICE OF MOTION FOR CLASS CERTIFICATION**

TO: ALL PARTIES AND THEIR COUNSEL OF RECORD

PLEASE TAKE NOTICE that Lead Plaintiff Oregon Public Employees Retirement Fund

("Plaintiff") hereby moves before the United States District Court, Southern District of New

York, Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, NY

10007, for entry of an order as follows:

- (1) certifying this action as a class action pursuant to Federal Rules of Civil

Procedure 23(a) and 23(b)(3), on behalf of the following class ("Class"):

All persons and entities that purchased or otherwise acquired the publicly traded common stock of Peabody Energy Corporation during the period from September 22, 2018 through September 28, 2018, inclusive (the "Class Period"), and were damaged thereby. Excluded from the Class are: (i) Defendants; (ii) members of the immediate family of any Defendant who is an individual; (iii) any person who was an officer or director of Peabody during the Class Period; (iv) any firm, trust, corporation, or other entity in which any Defendant has or had a controlling interest; (v) Peabody's employee retirement and benefit plan(s) and their participants or beneficiaries, to the extent they made purchases through such plan(s); and (vi) the legal representatives, affiliates, heirs, successors-in-interest, or assigns of any such excluded person.

- (2) Appointing Oregon Public Employees Retirement Fund as Class Representative; and